

1894-080 Chancery Causes: John Slagle vs. Adm. of D. W. Lockhart bc
Lee Co.

Flanary

CA-Estate Dispute
T-Property

-Deed
-Correspondence

By the ~~the~~ 15th day of August 1891.
I promise to pay John Slagle fifty
Dollars for value received of him
This Note is given for land.
This March 5 1891.

I ^{his} W. Lockhart
mark



By the first day of January 1892.
I promise to pay John Slagle two
hundred & fifty Dollars for value
received of him.
This Note is given for land.
This March 5 1891.

I ^{his} W. Lockhart-
mark



D. W. Lookhart
To Note \$250
New January 92-

(2)

D. W. Lookhart
To Note \$50
New August 91.

To the Hon. H. S. K. Merison Judge of the Circuit
Court of Lee County, Virginia

Humbly complaining your Orator John Slagle
would respectfully represent, that some years ago, he
intermarried with one Jane Lockhart, a daughter of one
Andrew J. Lockhart now deceased, and that said Jane Lockhart
is now Jane Slagle, and the lawful wife of your Orator.

Your Orator states that a few years ago, the said
Andrew J. Lockhart departed this life intestate in the
said County of Lee, leaving a large tract of land lying
in said County of Lee, on Wallens Creek, and on the
south side of Wallens Ridge, and North side of Powell
Mountain, about 6 miles South east of Jonesville, and
he also left a widow, and a large number of children
surviving him. His said widow was entitled to dower
in said tract of land, and subject thereto, the said real
estate descended to his children and heirs at law.

Your Orator states that Mary Lockhart the widow of said
A. J. Lockhart, did not desire to have dower in said tract
of land laid out to her in kind, but preferred that each
of said heirs should pay her Eight dollars per year
and take said land free and unincumbered by her said
dower, and this arrangement was accordingly made
with her, and said large tract of land was thereupon
partitioned among said heirs at law free from dower, by
commissioners appointed for the purpose, by the Circuit
Court of Lee County in a proper Chancery suit therein brought
for the purpose of obtaining such partition.

Your Orator states that by said partition Lots No. 4 & 14
were assigned by said Commissioners to Jane Slagle the
wife of your Orator, the first of which contains 32 acres
and the second contains 25 acres, and a particular description
of said two lots is shown by a paper herewith filed as
a part of this bill marked (A)

Your Orator now states, that about the 5 day of March 1891, he bargained and sold to one D.W. Lockhart, said two lots or parcels of land, the one known as lot No. 4, containing 30 acres, reserving a Grave yard situated thereon, and the other known as lot No. 14 containing 25 ^{acres,} for the sum of Five Hundred dollars. \$200. of which was to be paid in hand, and \$50.00 by the 15th day of August 1891 and the residue of \$250.00 by the 1st day of January 1892.

Your Orator states that about the day of 1891, the said D.W. Lockhart, paid him toward the purchase price of said lots said sum of \$200. and he thereupon on the 5th day of March 1891 executed and delivered to your Orator his two promissory notes in writing, which are herewith filed marked (B) each of which is dated March 5 1891, and by the first thereof, the said D.W. Lockhart promised to pay to your Orator by the 15th day of Augt 1891 the sum of Fifty dollars for value received in hand, and by the second, he promised to pay to your Orator by the first day of January 1892 the further sum of Two Hundred and fifty dollars for value received in hand, and your Orator states that each and every part of said two sums, is now due and owing to him, no part of either ever having been paid by said D.W. Lockhart or any one else to your Orator or for him.

Your Orator further states, that at the time said D.W. Lockhart paid him, said \$200. toward the purchase price of said two lots of land he and his said wife, Jane Single Muckle executed and acknowledged for record a proper deed of conveyance, by which they conveyed to said D.W. Lockhart said two lots of land, But your Orator and his wife in and by said deed of conveyance expressly reserved to themselves the vendors lien thereon until the balance of the purchase money should be fully paid.

Your Orator now states, that the two notes above referred to was executed for the balance of the purchase price of said

two lots of land, and to secure the payment of which said
debt was retained by your Orator and his wife.

Your Orator further states, that said D. W. Lockhart for reasons not
to your Orator, has not had his said deed of conveyance recorded.

Your Orator states that said D. W. Lockhart was a son of one
Squire J. Lockhart a citizen of said county of Lee, and was an
unmarried man, and that soon after said conveyance was
made to him, and said two notes executed by him he the said
D. W. Lockhart departed this life intestate unmarried without issue
so that said two lots of land descended and the title thereto passed
to his father Squire J. Lockhart, as his sole heir at law, subject
to the lien of said purchase money of \$300. & accruing interest
thereon. Your Orator states that said D. W. Lockhart left no personal
estate, and his estate has been committed to ^{of Lee County for administration} C. E. Fleming High Sheriff.

These being the facts in the case your Orator is advised
that said two lots of land, so inherited by the said Squire J. Lockhart
is liable in his hands to be taken and applied by a court of
equity to the payment of said two notes which operate as liens
thereon, and to attain that end is the object of this bill.

The premises considered Your Orator prays that Chas E.
Fleming admr. of D. W. Lockhart ^{and Mary Lockhart the widow} and Squire J. Lockhart
be made defendants to this bill and be required to answer
the same fully on oath, and upon a hearing thereof a decree
be rendered in favor of your Orator against said Chas E. Fleming
adm. of D. W. Lockhart due for \$300. 00 with legal interest on \$50.00
thereof from Augt 15 1891 and the like interest on \$250- The
residue thereof from January 15 1892 till paid, and that said
two lots or parcels of land be decreed to be sold to pay the same
unincumbered by the claims of the said Mary Lockhart thereon
and if on any wise mistaken in this his Special prayer
then your Orator prays for all general relief May the
Commanwealth writ of Subpoena issue directed &c.

Henry J. Morgan for Plaintiff

H. c 10.73 to July 73

11 Cour 2.50

S 2.00

14 15.00

Wit 1.50

\$31.73

M. c 3.24

\$34.97

Estimate 6.03

\$41.00

H. c 10.73

M. c 870

S 200

Atty 1500

Wit 150

\$37.93

John Slagle

vs. } Orig Bill

Chas E. Flannery admt + al

1892 2nd May Rules Bill

Filed Sp. E. & D. and Sg.

15th June Rules taken

Last Monday in May

D. nisi Confd and

Cause set for hearing

by Plaintiff

" June Term Decree

amending Bill amend

ment made & conta

" 2 Octo Rules Sp. E. & D.

on new bill Mary

Lockhart & D. nisi

to her & continued

" 1st Nov. Rules taken

Last Monday in Octo

1843 D. nisi Confd & C.

" June Decree & conta

" Nov. Decree & conta

Piff

Recovered against
Squire J. Lockhart

H. c 3.25

11 Cour 2.50

S 2.60

N. P. 2.05

Wit 2.70

\$13.00

M. c 4.04

C. c 25

\$17.29

\$17.39

310.00

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15.20

41

56.20

To the Hon. A. S. K. Morrison Judge of
the Circuit Court of Lee County Va
The Demurrer and Answer
of J. J. Lockheart to a bill filed
in this Hon. Court against him^{def} by
John Slagle.

The defendant says the
pffs bill is not good and suf-
ficient in law and of this he
prays judgement of the Court where.

But if any other or
further answer be deemed neces-
sary Answering he says it is true
his Co. defendant Charles E. Harnay
owes a balance of \$300, to the pff or
his wife, and which he owes as the
adm^r of D. W. Lockheart deceased
who was a single son, ~~and~~ of
respondent and who died intestate
and childless, and the lands in the
bill mentioned, therefore passed in
course of descent to this respond-
ent - The said \$300 is the residue
of purchase money for the interest
of Jane Slagle wife of the pff in
the real estate of Andrew Lockheart
deceased, and which said interest was
and is subject to the dower of the
said Andrew Lockheart's widow
Margaret Lockheart, a lady about seventy
years of age, the said Jane Slagle
as ~~Margaret~~ Lockheart her mother settled
the amount to be paid for and in
lieu of said dower, and he is informed

does not exceed ten dollars per
year. The said ~~Mary~~ Lockheart has
never conveyed her dower in said
lot, and your orator can not say
what she will do whether or not
she will release and take the
said slave's personal obligation for
the dower or not. The said slave & his
wife made to D. W. Lockheart in
his lifetime a deed with covenant
of general warranty for said land
retaining a lien for the said pur-
chase money but they have not
procured a title to themselves for the
said dower interest and so could not
convey it. Your orator is therefore
advised that he has the right to pay
off & settle this claim when ascer-
tained out of the fund due from
him or the said Henry, or if not
that the plff must pay & settle it
himself so as to make his title per-
fect. This does your ^{orator} admit his
liability to pay: until it is done
he deems that he is bound so to do
and having now fully answered
he prays to be dismissed with his
costs.

A. L. Ordinaire
P. D.

Virginia Lee County to wit.

This day D. J. Lockheart personally
appeared before me the undersigned
and made oath that the facts set out

in the foregoing Answer are so far
as made upon his own information
true; and so far as made upon in-
formation derived from others, he
believes them to be true. Given un-
der my hand this May 16th 1892

John R. Gibson Deputy
for J. A. G. Hyatt Clerk

W. A. G.

LP

S. J. Lockheart

ads } Answer

John Magle

Filed 3rd May 1892

J. A. Magle

John Slagle

Plaintiff.

vs.

In Chancery.

Chas.E.Flanary,Admr.et als.

Defendants.

This cause came on again this day to be heard upon the papers formerly read herein, the report of ~~xxx~~ L.T.Hyatt, Special Commissioner, filed on the 26th day of October 1894, and receipts and calculation therewith, and was argued by counsel. And it appearing to the court that said report has been filed the time required by law and that no exceptions have been filed thereto, said report and the sale made by said Commissioner and mentioned by him in said report, are each hereby in all things confirmed, And it appearing to the Court that said ~~xxx~~ land sold only for a sum sufficient to pay the complainant's debt, interest and the costs of this suit and the costs and commissions of sale, and it further appearing that the complainant is the purchaser of said land, it is adjudged ordered and decreed that L.T.Hyatt, who is appointed a special Commissioner for the purpose do convey by deed with covenants of special warranty to John Slagle the two lots or parcels of land described in the bill free from the dower claim of Mary Lockhart, widow of Andrew Lockhart, deceased, who has by former decree of this court entered in this cause been directed to execute a deed relinquishing her right of dower in said land. Said Commissioner will report his action to a future day of this court, till which time this cause is continued.

John Eagle
vs. $\frac{2}{2}$ Deeree.

Chas. E. Flauary Adm.
&c et al.

Confirming Court's
report of sale &c.

Copied in Chancery
Order Book
Page 66

Enter this decree
M. J. M.

Nov. 12th 1894

John Slagle

Plaintiff

vs.

In chancery.

C.E. Flanary, Admr. &c., et al. Defendants.

This cause came on again this day to be further heard upon the papers formerly read herein, and the report of L.T. Hyatt, Commissioner, this day filed, and was argued by counsel. On consideration whereof, and it appearing to the Court that the defendant Mary Lockhart has been served with a copy of the decree heretofore entered in said cause directing her to release her dower in the lands in the bill and proceedings mentioned, and that she has failed to execute said deed of release, it is therefore adjudged ordered and decreed that L.T. Hyatt, who is hereby appointed a commissioner for the purpose will by proper deed make a release to the purchaser of said lands of the dower interest therein of the said Mary Lockhart, and by consent of parties it is adjudged ordered and decreed that commissioner Hyatt sell said lands on a credit of ~~six~~ twelve and eighteen months instead of six and twelve months as heretofore directed. In all other particulars said commissioner will comply with the decree entered in said cause on the 13th day of March 1894. And said cause is continued.

John Slagle

vs. ~~Wm~~ Deere

C. E. Flauary Admr &c et al.

Ent. on Chy. Ord. Book 4 P. 19

Enter this decree

177 2/11

June 12th 1894.

1 John Slagle

Plff }

2 vs

In ch.

3 Chas. E. Flanary, Admr et als. Defto }

4 This cause came on this day to be fur-
5 ther heard on the bill of the plaintiff and Ex-
6 hibits therewith, the answer of Squire J. Lock-
7 hart and the bill taken for confessed by the de-
8 fendants Chas. E. Flanary Admr &c. and Mary
9 Lockhart, and the plaintiff's replication to said
10 answer and the depositions of witnesses, and
11 was argued by counsel. On consideration of
12 all which it is adjudged, ordered, and decreed
13 that the plaintiff recover against Chas. E.
14 Flanary Admr of D. N. Lockhart, deceased, the
15 sum of \$500.00 the aggregate amount of the
16 two notes in the bill mentioned with legal
17 interest on \$500.00 thereof from August 1st 1891,
18 and the like interest on \$250.00, the residue
19 thereof from January 1st 1892, till paid, and
20 the costs of this suit down to the filing of
21 the defendant, Squire J. Lockhart's answer,
22 and that the plaintiff recover against the
23 said Squire J. Lockhart the costs of this suit
24 since that time. And it appearing from
25 the proof taken and filed in the cause that
26 the said Mary J. Lockhart had agreed with
27 the plaintiff and his wife to accept ^{of them} \$800 per
28 year during her life in lieu of her dower upon
29 said plaintiff's and wife's share in the Lock-
30 hart land, and that ample security had been
31 given her for the payment of said annuity
32 instead of having dower in kind, by the ex-

1 execution of a bond by France Slagle and
2 James C. Gibson filed among the papers of
3 This cause marked (A6). It is therefore fur-
4 ther adjudged, ordered and decreed that un-
5 less the said defendant Flauary or some one
6 for him shall pay to the plaintiff the sum
7 before decreed him within twenty days from
8 the rising of this court, then that the two lots
9 of land in the bill and proceedings mentioned
10 or so much thereof as may be necessary to sat-
11 isfy the said decree, be sold unincumbered
12 by the dower of Mary J. Lockhart Theron and
13 ^{if a sale is made, the proceeds to go to the plaintiff, interest in said land} that she be precluded from claiming dower
14 thereon. At the sale just decreed so much
15 cash as will pay the costs of suit and sale
16 shall be required to be paid in hand, and
17 as to the residue six and twelve months
18 time will be given with interest from the
19 day of sale, and the purchaser is required
20 to execute bond with good security for the
21 deferred payment. The sale here ordered
22 shall be made at public auction to the
23 highest bidder at the front door of the
24 Court House of Lee County on some Court-
25 day after thirty days advertisement show-
26 ^{But the sale shall not be made until the 1st day of the next term of the court} ing time, terms, and place of sale. And
27 L. I. Wyatt is hereby appointed a commis-
28 sioner to execute this decree of sale who
29 before doing so is required to execute bond
30 with good security in the penalty of \$600.00
31 with condition to faithfully account for
32 all money he may receive by virtue of this

1 decree and he will report his action to the
2 ^{+ a copy of the decree shall be served on the other party} court and the cause is continued.
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John Slagle

vs } Decm No 2

32 31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

Chas E Flanagan witness

E. C. O. R. O. Page 577
Mch 13 1894

Enter this
Nov 13 1894
H. S. O. M.

John Slager

vs.

Charles E. Flannery adm. & al. Defts

Poff

In Chy

This cause came on this day to be heard on exceptions to the reading of two files of depositions filed in this cause on the 14th day of Oct 1893 and Nov 6 1893 and was argued by counsel. On consideration of the matter of said exceptions, the court is of opinion that said exceptions are well taken. it is therefore adjudged ordered and decreed that said depositions be suppressed and on the motion of the plaintiff leave is given him to re take the said depositions, and the cause is continued

John Slagle

20. } Decem

Chas E Flannery adm. vol
Entered Clk. O.B. p. 542 - '13
Nov 17th 1893.

Entered this
Nov. 17 1893

W. L. K. 411
C. 111

John Single

Poff

vs.

John Gay.

Chas E. Flannery admt. & co Defts

This cause came on this day to be heard, on the bill of the Poffs and exhibits therewith, and the Demurrer thereto, and the matters of law arising thereon being argued, the court is of opinion that the said Demurrer is well taken. The said Demurrer is therefore sustained, and on the Motion of the plaintiff, leave is granted him to amend his bill, and the cause to retain its place on the docket. And the said amendment was thereupon made, and the cause continued.

John Slagle

no. 3 Dec. No. 1

Chas E. Fleming

Entered Clerk

C.B. page 41 D

June 13 1892

St. John C.

Enter this

June 13 1892

H. S. M.

The deposition of John Slagle, Jane Slagle + William Slagle taken on the 13th day of Feby, 1894 pursuant to notice at Raven-wood in the County of Audaway in the State of Missouri, which when taken are intended to be read as evidence on the part of the plaintiff in a certain Chancery cause now pending in the Circuit Court of Lee County Virginia in which John Slagle is plaintiff and C. E. Planary Admr. of D. W. Lockhart deceased, Squire J. Lockhart and Mary Lockhart are defendants

The said John Slagle, a witness of lawful age being sworn deposes and says:

First question by the plaintiff

Mr John Slagle, you will please state whether or not you and your wife sold to D. W. Lockhart deceased your wife's interest in her father A. J. Lockhart deceased's real estate;

And if so state who was present at the time of such sale.

Answer

My father made a verbal sale with D. W. Lockhart to mine and my wife's interest in the estate of A. J. Lockhart deceased, D. W. Lockhart sent us warranty deed to same which we signed and acknowledged on the 23rd day of Feby, 1891.

Second question by same

At the time you made said sale did your wife's mother the said Mary Lockhart agree and ~~and~~ with you and your wife that she would release her claim of dower on your wife's share of said land and that she would look to D. W. Lockhart deceased to pay her \$8.00 per year during her life in lieu of dower in kind

Answer

No such agreement was made; but myself and wife signed an obligation to pay Mary Lockhart \$8.00 per year as our part of her maintainance, which agreement we have fulfilled and have all the time regarded this as her release of dower in our case

Third question by same

You will please state whether or not your wife's mother the said Mary Lockhart ever urged you and your wife to enter into a

contract with her by which you would agree to pay her \$8.00 a year during her natural life and take your wife's interest in said land unincumbered by her dower thereon

Answer

She did by letter marked exhibit A.B.

Fourth question by same

You will please state whether or not you and your wife signed a contract by which you and she agreed to pay Mary Lockhart the sum of \$8.00 per year during her natural life and in consideration thereof the said Mary Lockhart agreed to release to your wife her dower on said share of land. And if so what became of said written agreement,

Answer

We signed a contract to pay Mary Lockhart \$8.00 per year which we considered to be in lieu of her dower and sent it to her by mail

Fifth question by same

You will please examine a paper filed in said cause marked exhibit (A.B.) and dated March 6th 1890 which purports to be a letter written by Mary Lockhart to Elizabeth & Jane Slagle and state whether or not either of them or both of them received said letter as coming from their mother and if so state whether or not either one or both of them ever signed and returned to Mary Lockhart such a contract as is therein referred to, and whether or not the said Elizabeth or Jane Slagle or either of them treated it as a letter coming from their mother

Answer

Elizabeth & Jane Slagle received the letter referred to as coming from their mother. Jane Slagle signed the contract referred to and they both treated it as a letter coming from their mother

John Slagle

Deposition of W.^m Slagle in the case now pending in the Chancery Court of Lee County Virginia wherein John Slagle is plaintiff and C. E. Planary Adms. of D. W. Lockhart deceased Squire J. Lockhart and Mary Lockhart are defendants. The said W.^m Slagle a witness of lawful age being duly sworn deposes and says,

First question by Plaintiff

Q. W.^m Slagle do you know of Mary Lockhart at any time agreeing to release her dower in the estate of A. J. Lockhart deceased provided the heirs of said estate would each pay her \$8.00 per year for her support?

Answer

A. I do, When I was in Lee County Virginia in 1890 she told me she would release her dower at any time that the heirs would agree to pay her such an amount as would support her, and ^{sign} a contract for that purpose. I recognize the letter marked exhibit (A B) as coming from Mary Lockhart. She told me to talk to Jane Slagle and urge her to sign such agreement.

W.^m Slagle

State of Missouri }
County of Hodaway } to wit

I William P. Sims a Notary Public in and for the County and State aforesaid do certify the foregoing depositions of John Slagle and W.^m Slagle were taken before me and subscribed and sworn to by said witnesses respectively at the time and place for the purposes mentioned in the caption

Signed under my hand and official
Seal at Ravenwood the 18th day of
Feby 1894

My term of office will expire May 5th 1896

William P. Sims
Notary Public
Hodaway County, Missouri

1894 Mar 10

The deposition of John Slagle is excepted to because the law at the time it was taken did not permit him to testify on behalf of his wife. He was not competent

A. L. Ordemann

The deposition of Wm Slagle is excepted to because the interest of Wm Slagle being a life estate in real estate can only be released by deed.

A. L. Ordemann

Slagle vs Lockhart

Received by mail in good condition on February the 16th 1894 and filed the 16th of Feb
1894

A. B. Muncey Clerk

Notary fee \$1.50

John Slagle

Plff.

vs.

} In Chy.

Chas. E. Flanary Admr et al. Defts.)

The depositions of Putnam Lockhart and Francis Slagle taken pursuant to notice at the clerk's office of the Circuit Court of Lee County on the 11th day of October 1893 which are intended to be read as evidence on the part of the plaintiff in the above styled cause at the hearing thereof.

The said Putnam Lockhart a witness of lawful age being duly sworn says:
1st - Question by Plaintiff.

Mr. Putnam Lockhart, please examine a paper filed in the cause and marked Exhibit (A) which purports to be a letter, dated March 6th 1890, written by Mary Lockhart, widow of A. J. Lockhart, deceased to her two daughters Elizabeth & Jane Slagle and state who wrote that letter, and at whose request the same was written, and what the object of the same was?

Ans-

I have examined the paper referred to, it was written by me at the request of my mother Mary Lockhart and the object of the letter is explained

in the letter itself, my mother did not want to be troubled by taking care of and cultivating the dower and preferred to have money in lieu thereof, and she also thought that those of the heirs who desired to sell their interests could do so, to better advantage if the land was relieved from the dower.

2 question. Was the agreement of which your mother speaks in her letter sent to and signed by her daughter Jane Slager?

Ans - It was, and said agreement was I think returned to my mother, my recollection is that I have seen it in her possession since it was signed.

3 question. Do you know whether or not said agreement is still in the possession of your mother, Mrs Mary Lockhart?

Ans I do not, but I suppose it is, it has been some little time since I saw it.

4 question. Has your mother been paid

The eight dollars per year by John or Jane Slagle or by any one for them since said agreement was entered into by them.

Ans. She has been paid pursuant to said agreement.

5 question who is now in possession of the share of said land assigned to Jane Slagle, and sold by her and her husband to D. W. Lockhart.

Ans - Squire J. Lockhart is in the possession of said land.

6 question. Please state the ^{present} age of your mother according to your best information?

Ans. She is 75 or 76 years old.

And further this witness saith not.
50 cents Putnam, Lockhart

Francis Slagle an other witness of lawful age being duly sworn deposes and says.

Ques 1st By Plffs attorney. Please state if you know, whether or not, Mrs Mary Lockhart has been paid eight dollars per year on the share of land assigned to Mrs Jane Slagle, out of the lands owned by Andrew Lockhart at the time of his death.

Ans-

Yes, She has been promptly paid the Eight Dollars per year on this land, I made said payments myself, these payments extend up the end of the Year 1892. and I am ready to pay for the Year 1893, as soon as the Claim becomes due, and I will continue to make said payments annually as I have obligated myself to do in a bond executed by me on the 20 day of June 1892, with J. O. Gibson as my security, and filed in the papers of said Cause as exhibit "A" &c.

Wit

claim 50⁰⁰

And further this deponent saith not
Francis ^{his} Layle
mark

Virginia Lee County to wit:

Be J. A. Hyatt Court in Chancery for Lee County Circuit Court, do hereby certify that the foregoing depositions were taken sworn and subscribed to, before me at the time, and place mentioned in the Caption, and pursuant to the notice hereto attached, given under my hand this October 11th 1893. J. A. Hyatt Court

It being desirous to take the depositions of other witnesses who did not appear on this day, the taking of depositions in this cause is continued until Friday the 13th day of Octo, 1893, at this place.

J. A. S. Hyatt Clerk

Circuit Court Clerk's Office
Octo, 13th 1893

Met pursuant to adjournment when David W. Lockhart Sr a witness of lawful age being duly sworn deposes and says.

I was not present, nor did I ever hear any contract between D. W. Lockhart dec'd, & my mother Mary Lockhart, but after John & Jane Slagle had sold their interest in the A. J. Lockhart land to said D. W. Lockhart dec'd, I was talking with my mother in relation to her dower on Jane Slagles land, when she said to me that she had agreed to take D. W. Lockhart for the \$8 per year in lieu of dower on said lands.

My mother the said Mary Lockhart, preferred that her children should each ~~should~~ pay \$5 per year during her life, and take said lands in severalty by her down, and this arrangement was accordingly made between my mother & her children, living in this County and I have understood a like agreement was made between her and her children living in Mo. but I have never seen said wit claim Contract so made with them.

50 cents. And further this witness saith not.

David W. Lockhart

The foregoing deposition was taken before me Subscribed & Sworn by the witnesses on this 15th day Octo. 1893.

J. A. Hyatt Clerk

John Eagle
vs
Depto

Chas. E. Flanagan, Am. & Co.

Filed Octo. 14th 1893.

A. B. Munnery

Suppressed
Nov. 1893

Cost of Depo.

Court \$2.50

Witnesses 1.50

Deputy 1.50

\$4.50

1893 Nov. 13 The reading of the
within dep. are accepted to
because made for the taking
of the same was executed on
Thursday & on other day. (Continued)

1 The deposition of John Slagle, Jane Slagle,
2 & William Slagle, taken on the 31st day of
3 October 1893, pursuant to notice, at Ravenwood,
4 in the County of Nottoway in the State of
5 Missouri, which when taken are intended
6 to be read as evidence on the part of the
7 plaintiff in a certain Chancery cause now
8 pending in the Circuit Court of Lee County,
9 Va. in which John Slagle is plaintiff and
10 C.E. Flanary Admr of D. W. Lockhart deceased,
11 Squire J. Lockhart, and Mary Lockhart are
12 defendants.

13 The said John Slagle, a witness of lawful
14 age being duly sworn deposes and says:

15 First question by the plaintiff.

16 Mr. John Slagle, you will please state whether
17 or not you and your wife sold to D. W.
18 Lockhart, deceased, your wife's interest in her
19 father - A. J. Lockhart, deceased's real estate?
20 And if so state who was present at the
21 time of such sale.

22 Answer:

23 My father made a verbal with D. W. Lockhart
24 to mine and my wife's interest in the estate of A. J.
25 Lockhart deceased, D. W. Lockhart ^{sent} us warranty deed
26 to same which we signed and acknowledged on
27 the 23rd of Feby 1891

28 Second question by same

29 At the time you made said sale did your wife's mother
30 the said Mary Lockhart agree and with you and your wife
31 that she would release her claim of dower on your wife's
32 share of said land and that she would look to D. W. Lockhart

1 deceased to pay \$8.⁰⁰ per year during his life in lieu of
2 dower in kind

3 Answer

4 - No such agreement was made, but myself and wife
5 signed an obligation or obligation to pay Mary Lockhart
6 \$8.⁰⁰ per year as our part of her maintenance which agree-
7 ment we have fulfilled and have all the time regarded
8 this as her release of dower in our case

9 Third question by same

10 You will please state whether or not your wife's
11 mother the said Mary Lockhart ever urged you and your
12 wife to enter into a contract with her by which you would
13 agree to pay her \$8.⁰⁰ a year during her natural life
14 and take your wife's interest in said land unincum-
15 bured by her dower thereon

16 Answer

17 She did by letter marked exhibit A-B

18 Fourth question by same

19 You will please state whether or not you and your
20 wife signed a contract by which you and she agreed to
21 pay Mary Lockhart the sum of \$8.⁰⁰ per year during her
22 natural life and in consideration thereof the said
23 Mary Lockhart agreed to release to your wife her
24 dower on said share of land: And if so what became of
25 said written agreement

26 Answer

27 We signed a contract to pay Mary Lockhart \$8.⁰⁰
28 per year which we considered to be in lieu of her dower
29 and sent it to her by mail

30 Fifth question by same

31 You will please examine a paper filed in said
32 cause marked exhibit (A-B) and dated March 6th 1890

1 which purports to be a letter written by Mary Lockhart
2 to Elizabeth + Jane Slagle and state whether or not either
3 of them or both of them received said letter as coming
4 from their mother, and if so state whether or not either
5 one or both of them ever signed and returned to Mary
6 Lockhart such a contract as is therein referred to and whether
7 or not the said Elizabeth + Jane Slagle or either of them
8 treated it as a letter from their mother

9 Answer

10 Elizabeth + Jane Slagle received the letter referred to as
11 coming from their mother. Jane Slagle signed the con-
12 tract referred to and they both treated it as a letter
13 coming from their mother. John Slagle

14 Deposition of W^m Slagle in the cause now
15 pending in the Chancery Court of Lee County Virginia
16 wherein John Slagle is plaintiff and C. E. Flanery Adm^r
17 of D. W. Lockhart deceased. Squire J. Lockhart and
18 Mary Lockhart are defendants. The said William Slagle
19 a witness of lawful age being duly sworn deposes and
20 says

21 First question by Plaintiff

22 W^m Slagle do you know of Mary Lockhart at
23 any time agreeing to release her dower in the
24 estate of A. J. Lockhart deceased provided the
25 heirs of said estate would each pay her
26 \$8.00 per year for her support

27 Answer

28 I do, when I was in Lee County Virginia in 1890
29 she told me she would release her dower at any
30 time that the heirs would agree to pay her such an
31 amount as would support her and sign a contract
32 for that purpose. I recognize the letter marked

1 Exhibit (A-13) as coming from Mary Lockhart
2 She told me to talk to James Slagle and urge him
3 to sign such agreement

Wm Slagle

4
5 State of Missouri
6 County of Adair } to wit

7 I William P Davis a Notary Public
8 in and for the County and State aforesaid
9 do certify the foregoing depositions of John
10 Slagle and Wm Slagle were taken before me
11 subscribed and sworn to by said witnesses respect
12 fully at the time and place for the purposes
13 mentioned in the caption

14 Given under hand and official
15 seal at Ravenwood the 31st day
16 of Oct 1893

17 My term of office will expire May 5th 1896

18 William P Davis

19 Notary Public
20 Notary Cost \$1.65

Notary Public

Received by mail in good
condition and filed this Nov
the 6th 1893

A. B. Murray
Clerk

Slagle as Lockhart

Suppressed
Nov. Term 1893

N. P. Fee \$1.65

At John Slagle

Plff.

vs.

In Chy.

Chas. E. Flanary, Admr. et al Deft.

The depositions of Putnam Lockhart
Frances Slagle & taken,
pursuant to notice, at The Clerk's Office
of The Circuit Court of Lee County, on
The 3^d day of February 1894 which
are intended to be read as evidence
on the part of The plaintiff in the
above styled cause at The hearing
thereof. Present, Plff. Atty & S. J. Lockhart Deft.

The said Putnam Lockhart a
witness of lawful age being duly
sworn deposes and says:

1st Ques. Mr. Putnam Lockhart, please ex-
amine a paper filed in the cause
and marked Exhibit (A B) which
purports to be a letter dated March
6th 1890, written by Mary Lockhart
widow of A. J. Lockhart, deceased,
to her two daughters, Elizabeth &
Jane Slagle and state who wrote
that letter, and at whose request
the same was written, and what
the object of the same was?

Ans. I have examined the paper referred
to, it was written by me, at the
request of my mother Mary
Lockhart, and the object of
the letter is explained in the
letter itself, my mother did

1 not want to be troubled, by
2 taking care of and cultivating
3 the dower land, and preferred
4 to have money in lieu thereof,
5 and she also thought, that those
6 of the heirs, who desired to sell
7 their interest could do so, to
8 better advantage, if the land
9 was relieved from the dower
10 claim.

2nd Ques. 11 Was the agreement of which your
12 mother speaks in her letter, sent to
13 and signed by her daughter Jane
14 Slagle?

Ans 15 It was, and said agreement
16 was I think returned to my
17 mother, my recollection is
18 that I have seen it in her
19 possession since it was
20 signed.

3rd Ques. 21 Do you know whether or not said
22 agreement is still in the possession of
23 your mother, Mrs. Mary Lockhart?

Ans 24 I do not, but I suppose it is
25 it has been some little time
26 since I saw it.

4th Ques 27 Has your mother been paid the
28 \$800 per year by John or Jane
29 Slagle or by any one for them since
30 said agreement was entered into
31 by them?

Ans 32 She has been paid pursuant to said agreement.

5 Ques. Who is now in possession of
The share of said land assigned to
Jane Slagle and sold by her and
her husband to D. M. Lockhart.

Ans. Squire J. Lockhart is in the
possession of said land.

6 Ques. Please state the present age of
your mother according to your
best information?

Ans. She is about 74 years old.

And further this witness saith not.
P. M. Lockhart

wit claim
50¢

Francis Slagle an other witness
of lawful age being duly sworn
deposes and says.

Ques. P. M. Lockhart
Deffs. Atty. Please state if you know
whether or not Mrs. Mary Lockhart
has been paid eight dollars per
year on the share of land assigned
to Mrs. Jane Slagle out of the
lands owned by Andrew Lockhart
at the time of his death.

Ans. Yes, she has been promptly paid
the eight dollars per year on
this land I made said payments
myself, these payments extend up
to the end of the year 1893, and
I will continue to make said
payments annually, as I have
obligated myself to do, in a
bond executed by me on the
20th day of June 1892 with J. O.

Gibson as my security and filed
in the papers of this said cause
as Exhibit "A. C."

And further this deponent with
Francis ^{his} Slagle
mark
not.

not
claim

No other witnesses appearing on this
day, the further taking of depositions
in this cause is continued un-
til Saturday the 10th day of February 1894
at this place - of which the Plff. by
his Atty and the Deft. S. J. Lockhart
has notice. J. A. Hyatt
Carrinhey

Lee County Circuit Court
clerk's office Febry 10/1894

met pursuant to adjournment
Present, Plffs attorney
David W. Lockhart a witness of
lawful age being first duly sworn
deposes and says:

Ques 1st By Plff atty.

Please state whether you ever had a
conversation with your mother regard-
ing her dower on the Jane Slagle's land.
if so please state what she said in
regard to the matter?

Ans I did have a conversation with my
mother, the said Mary Lockhart,
after John and Jane Slagle had
sold their interest in the A. J. Lockhart

land to D. W. Lockhart deceased
when she said to me, that she
had agreed to take said D. W. Lockhart
deed, for the Eight Dollars per Year
in lieu of dower on said land.

And my Mother, the said Mary
Lockhart, at the time partition of
the lands of Andrew Lockhart dead
was made between his heirs agreed
with us all and stated that she preferred
that her children should each
pay her 8¢ per ^{Year} during her life
and take said lands unincumbered
by her dower, and this arrangement
was accordingly made between
my mother and her children
living in this County, and I have
understood a like agreement
was made between her and her
children living in the State of
Mo. but I have never seen
said Contract so made with
them.

Witness
\$1.00

And further this witness saith not.

David W. Lockhart

Virginia

Lee County to wit:

I, J. A. Syatt Court. in Chancery for
Lee County Circuit Court, do hereby certify
that the foregoing depositions
were taken before me on the days
and place mentioned, duly sworn
to before me by the witnesses and Sub-

scribed in my presence by the
 witnesses. Given under my
 hand this the 10th day of Feb^y 1894
 J. A. L. Hyatt
 Court Clerk
 San Circuit Court

1894 March 10

The depositions of Putnam Lockhart
 and David Lockhart are excepted to - Putnam
 because he speak of the contents of a writing
 shown to be in existence - and should be produced
 and because he & David both move a parcel
 release of an interest in land - that is
 not competent. A. L. P. [unclear]

John Layle
 Depo.
 vs. C. C. Flannery
 D. C.
 Filed Feb^y 10th 1894
 J. A. L. Hyatt D. C.

Cost of Depo.
 Court 2.50
 Witness 2.00
 S. 1.70

John Blagle }
Charles Flannery day. } In ch

Virginia Lee County to wit:
This day I, J. Lockhart
personally appeared before me
the undersigned and made oath
that he noticed in this Cause,
to take depositions, at the
Clerk's office of the District Court
of Lee County Va on Wednesday
Oct-11th 1893, and purporting to have
been served on himself and Mary
Lockhart on the second day of October
1893, by H. P. Arrington deputy for C. E.
Flannery, was in fact served on
him, ~~affiant~~ ~~each of said parties~~ by said
deputy H. P. Arrington, on Sunday
the first day of Oct 1893, and on
no other day - and when served he
called said ~~deputy's~~ Arrington's
attention to the fact - that it was
and while affiant was at church at Rollers Chapel
Sunday ~~the 1st day of Oct 1893~~ and affiant is in-
formed and believes it is true that it
was served on his co-defendant
Mary Lockhart at her home on the
same day. Given under my hand
this Nov. 14th 1893

D. C. Sewell

Not Pub for
Lee Co. Va

John Slagle

v — Affidavit

C. C. Flannery et al

Filed Nov. 1893

L. B. Munsey c

John Slagle

Plaintiff.

vs.

In chancery.

Chas. E. Flanary, Admr. et als. Defendants.

To the Honorable W. F. Miller, Judge of the Circuit Court
for Lee County, Virginia:

The undersigned Special Commissioner begs leave to submit
the following report:

Pursuant to your decree rendered in said cause on the
13th day of March 1894, and also your decree rendered in the
same cause on the 12th day of June 1894, I proceeded on the
20th day of August 1894, that being the first day of the Aug-
ust term of the County Court of Lee County, at the front door
of the Court-house of said county, to offer for sale, on the
terms prescribed in said decree, to the highest bidder, the
two lots or parcels of land in the bill mentioned, when one
John Slagle, through Francis Slagle, offered for said tract of
land the sum of Four hundred and seven dollars and fourteen
cents, that being the amount of the debts interest and costs
of this suit and the commissions of sale, and that being the
highest and best bid offered therefor, the said John Slagle
became the purchaser thereof at that price. He thereupon,
through Francis Slagle, paid me the sum of Fifty-seven dollars
and eighty-one cents in cash, being the costs of this suit and
commissions of sale, six dollars and three cents thereof being
for estimated future costs.

The following tabular statement will show the manner in
which I have disbursed the cash payment, the receipts for said
disbursements being hereto attached.

To cash received on day of sale....	\$57.81
By this sum paid J.A.G. Hyatt, Clerk's fees	\$10.73
" " " " same Comr. in Chy.'s "	2.50
" " " " C.E. Flanary, Sheriff's costs	2.00
" " " " H.J. Morgan, Atty. fees	15.00
" " " " A.B. Munsey, Clerk's fees	3.24

By this sum retained for future costs	\$6.93	
" " " Commissions retained	16.81	
" " " retained for witnesses	1.50	\$57.81

The plaintiff in this cause, being the purchaser of said land, I did not require him to execute bonds for the residue of the purchase price of said land.

Your commissioner is informed by the plaintiff that the land which he has sold was laid off and assigned to Jane Slagle, wife of John Slagle, out of the estate of her father, Andrew Lockhart, deceased; that he sold it for his wife to D.W. Lockhart as set forth in said bill: that the notes therefor, being the notes here sued on, were executed to himself instead of his wife, who was the real owner of the land. Your Commissioner is therefore of opinion that the deed ought to be made to John and Jane Slagle, or to Jane Slagle alone.

Your commissioner is of opinion that this sale ought to be confirmed.

Respectfully submitted.

L. T. Dyatt Comr.

John Slagle

Plaintiff.

vs.

In Chancery.

Chas. E. Flanary, Admr. et als.

Defendants.

Received of L.T. Hyatt, Commissioner, ten dollars and seventy three cents in full of my costs in the above styled ~~xxxx~~ cause. Given under my hand this 24th day of August 1894.

J. A. S. Hyatt, Clerk.

Received of L.T. Hyatt, Comr., two dollars and fifty cents in full of my costs as commissioner in the above styled cause. Given under my hand this the 24th day of August 1894.

J. A. S. Hyatt,
Comr. in Chy.

Received of L.T. Hyatt, Comr., two dollars in full of Sheriff's costs in the above styled case. Given under my ~~had~~ hand this 31st day of August 1894.

C. E. Flanary, S. G. 6

Received of L.T. Hyatt, Comr., fifteen dollars, in full of Attorney's fee in above styled cause. Given under my hand this the 14th day of August 1894.

Henry J. Mayan

Received of L.T. Hyatt, Comr., the sum of three dollars and twenty-four cents in full of my costs in the above cause to date. Given under my hand this the 24th day of Aug. 1894.

A. B. Munsey, Clerk.

Received of L.T. Hyatt, Comr.

John Slagle vs In Chy.
Chas. E. Flannery, Admr et al.

(1) { Amt. of note due Aug. 15 1891	50 00
{ Int. on same from Aug 15 1891	
{ to Aug. 20th 1894	9 04
{ Amt. of note due Jan. 1st 92	250 00
{ Int. on same from Jan. 1st 92	
{ to Aug. 20 1894.	40 29
Total Amt. of 2 notes	349 33
Costo.	41 00
	<hr/>
	\$390 33
Commissions	16 81
	<hr/>
	\$407.14

John Slagle
 vs. ~~Wm~~ Calculation.
 Chas. E. Flannery Agent
 Commissioner's
 Report of Sale.

Filed October 26th 1894
 S. W. Richmond Deputy
 J. A. B. Munsey Clerk

Ant. in my hands	7.63
To be disbursed as follows	
Munsey	1.42
Put. Lockhart	.50
Francis Slagle	.50
D. W. Lockhart	.50
	<u>2.92</u>
	4.71

This deed of release made and entered into on this the 16th day of May 1894 by and between Mary Lockhart, widow of Andrew Lockhart, deceased, of the first part, and Squire J. Lockhart, heir at Law of David M. Lockhart, deceased, of the second part, both parties of Lee County, Virginia.

Witnesseth that whereas the said Mary Lockhart did not desire dower in kind in the lands of which the said Andrew Lockhart died seized, which said lands were partitioned among his several children, they each agreeing to pay her an annuity of Eight dollars per year in lieu of said dower; and whereas in said partition aforesaid lots No. 4. and 14. were assigned to Jane Slagle, wife of John Slagle; and whereas the said John and Jane Slagle have by bond duly executed, and approved by the Circuit Court of Lee County, secured the payment of eight dollars per year to the said Mary Lockhart during her natural life; and whereas the said John Slagle and Jane Slagle, his wife, sold and conveyed said lots No. 4 and 14 to David M. Lockhart in his lifetime, which said lots of land have now descended to the said

Squire J. Lockhart, as the heir at law of the said David H. Lockhart, who is now the owner thereof; And the said Mary Lockhart being so required to do by a decree of the Circuit Court of Lee County, rendered and pronounced on the 13th day of March 1894, in the Chancery Cause of John Slagle against C. E. Flanary, Admr. et als., and in consideration of the premises aforesaid as well as one dollar in hand paid, the receipt of which is hereby acknowledged, the said Mary Lockhart has this day given and granted, and by these presents, does release and convey her entire right, claim and interest in and to lots No. 4. and 14. in the partition of the lands of Andrew Lockhart, deceased, and for a particular description of said lots reference is here made to the partition of said lands which is duly recorded in the Clerk's Office of the Lee County Court. To have and to hold the said two lots or parcels of land unto him the said Squire J. Lockhart and his heirs forever, free from all claims of dower or otherwise of her the said Mary Lockhart.

Witness the following signature and

Seal this the day and year first above written.

Seal

Virginia, Lee County, to wit:

I, John B. West, a Notary Public in and for the County and state aforesaid, do certify that Mary Lockhart whose name is signed to the foregoing deed, bearing date on the 16th day of May 1894, has this day acknowledged the same before me in my County and State aforesaid.

Given under my hand this day of May 1894.

N. P.

"OX"

John Slagle

plaintiff.

vs.

In chancery.

C.E. Flanary, Admr. &c., et als.

defendants.

To the Honorable W.T. Miller, Judge of the Circuit Court for Lee County, Virginia:

Your undersigned Commissioner respectfully reports to your honor, that by decree entered in the foregoing cause on the 13th day of March 1894, he was directed to sell the lands in the bill and proceedings mentioned on the terms set out in said decree, but in said decree Mary J. Lockhart, widow of Andrew Lockhart, deceased, was required to file a deed releasing her dower interest in said land, and it was further provided that your commissioner should not sell said lands until said release deed was filed. And by a further provision of said decree it was directed that a copy of said decree be served upon the said Mary Lockhart, and your commissioner was required to report his action to this court. Your commissioner will now report to your honor that he had a copy of said decree served on the said Mary Lockhart on the _____ day of _____ 1894, as will appear by the return of the Sheriff here filed as part of this report marked "XY". Afterwards, to wit, about the 16th day of May 1894, your commissioner prepared a release deed and carried the same to the said Mary Lockhart and she refused to execute the same. Said blank release deed is here filed with this report marked "OX". Your commissioner asks that a rule be awarded against the said Mary Lockhart to show cause if any she can why she does not make execute and file with the papers of this cause said release as required by said decree of the 13th day of March 1894 aforesaid. Said commissioner further asks that this court allow a sale of said land whether said release be filed or not, under such terms as it may prescribe.

Respectfully submitted,

L. J. Hyatt, Comr.

John Slagle

vs 3 Couris Report.

C.E. Flanary Adur et al.

To the Honorable W.T. Miller, Judge of the Circuit Court
for Lee County, Virginia:

John Slagle

Plaintiff.

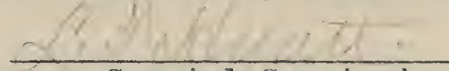
vs.

In Chancery.

Chas. E. Flanary, Admr. & c. et als. Defts.

Your undersigned Commissioner, having been appointed for the purpose, by decree rendered in the above styled cause on the 12th day of November 1894, begs leave to report that, according to the requirements of said decree, he has made and executed a deed to John Slagle, conveying the said two tracts of land with covenants of special warranty, free from the dower of Mary Lockhart, widow of ~~xx~~ Andrew Lockhart, deceased, and he filed the same herewith for the inspection and approval of the Court.

Very respectfully submitted,


Special Commissioner.

John Eagle

vs. ~~W~~ Louis Repeto

Chas E. Flannery & son

&c et als.

Filed in open Court
and by leave thereof
this the 12th day of Nov
1894 A. B. Munsey
Clerk

Jane Hagle
at [unclear] of courses
[unclear] 10 4

R. J. Lockhart Esq

Deed Book 20 P. 622

Copy of Courses of Lots No 4 & 14 of the
Partition of the land of A. J. Lockhart and
to wit:

We have laid off and assigned to Jane
Seagle Lots No 4 & 14 the metes and bounds
of lot No 4 is as follows Beginning at S. a
large elm on the South bank of Wallens
creek corner to lot No 3 Thence up & with
said creek N 39° 25' E 28 ¹/₁₀₀ poles to D' a
stake S 41° 10' E 8 poles to 'B' a small
sycamore on the South bank of said
creek same corner called for in lot
No 3 S 89 ¹/₂ W 8 ⁹/₁₀₀ poles to 'F' S 15° E 23 ¹/₂
poles to D' a stake east of a large
chestnut oak & on top of Powells, moun-
tain Thence with said top S. W. 16 ¹/₂ poles
to a stake & two small hickories cor-
ner to lot No 2 & with line of same
N 15° W. 110 poles to a stake corner to said
lot & with North line of same S 64°
W 11 ¹/₂ poles to D' a stake corner to lot
No 3 & with line of same N 12° W 11 ¹/₂
poles to the first station containing
30 be the same more or less. See
on Plat No one except from the assign-
ment whatever is covered by grave
yard hereafter to be described

Attest

Teste John R. Gibson Clerk.

Copy of Courses of Lot 214 in the Partition of the lands of A. J. Lockhart dec'd to wit:

Lot No 14 is bounded as follows
Beginning at a poplar & white oak
original corner thence N 40 E 8
poles to W a stake on the lower
side of a haul road thence S 24
E 30 poles to W a stake in a hollow
corner to Lot 214 on a line of Lot
17 & with same & with line of Lot
15 S 79 W 96 poles to W a stake on the
original west line & with same
N 9 E 51 poles to N a black gum
original corner thence continuing
with original line N 59 E 45
poles to S a stake & buckeye thence
S 39 E 47 $\frac{84}{100}$ poles to the beginning
containing 25 acres more or less.

Copy

Teste John R. Gibson Clerk

Jane Slagle
} copy of Courses
From Lot 10/4 & 4

A. J. Lockhart to Est
Dec Book 20 P. 523

(A)

John Slagle (Mr.) Jane Lockhart.

Ravenwood

Kittaway Co
Mo.

Exhibit (A.B.)

Chandler Lee County Va

March 6th 1890

My Dear Children

as The Commissioners have come
and divided & partitioned the land
after taking council with the
attorney for the estate and finding
that it could lawfully & legally be
done; I had the land divided
into 12 equal Parts giving Linda
The Home share it equal in value;
so considered by The Commissioners
also; I have had a very hard spell
this winter & am not yet able to do
cooking & milking though I am still
improving slowly; all I thought
I would hardly get up any more
but - The good Lord has blessed me a
few more days on earth

now girls I right this letter
jointly to both of you. and I
want you both to read and
consider it and sign the
agreement that I shal send
you it will take a great
trouble off my hands and
will to your interest it will
enable you to sell your land to
a better advantage if you want
to sell this leaves no generally
well hoping it will find you
the same so no more
your mother as ever

Mary Joek had

To Elizabeth & Jane Stagle
P.S I will send you the agreement
jointly you can tear it off and send
it back at once if one dont want
to sign
the other can or you can both sign

Know all men by these presents that we Frank
Slagle and Jas. O. Gibson are held and firmly
bound in the sum of Two hundred dollars unto
Mary Lockhart, widow of A. J. Lockhart dead
for the true payment whereof to her we bind our
elves heirs and ~~et~~. And as to this bond we each
waive the benefit of our several exemptions
Witness our hands and seals this 20 day of June 1892

The condition of the above bond are as follows: To wit
The above named Mary Lockhart as the widow
of said A. J. Lockhart dead has allowed his real
estate to be partitioned and divided among his heirs
at ^{law} ~~unincumbered~~ by her dower therein, upon
condition that each of his said heirs at law should
pay the said Mary Lockhart the sum of Eight
dollars ^{per annum} during her natural ^{life} and John Slagle
having married Jane Lockhart one of the heirs at law
of said A. J. Lockhart dead and thereby the said John Slagle
became one of said A. J. Lockhart's heirs, and the said
John Slagle and Jane Slagle his wife having sold
and conveyed to one D. W. Lockhart the lots or parcels
of land assigned the said Jane Slagle out of the real
estate of said A. J. Lockhart dead. Subject to the vendors
lien reserved thereon of \$300.00 and to enable the
said John & Jane Slagle to collect the said ^{money} purchase
and remove the same from Virginia, and at the
same time secure to the said Mary Lockhart the paymen-
ent of Eight dollars per year during her natural life
by the said John & Jane Slagle is the object of this bond

Now if the said John and Jane Slagle or either of
them shall pay or cause to be paid to the said Mary
Lockhart Eight dollars per year during her natural
life, then this bond to be void, but if otherwise then
the same to remain in full force and virtue

Witness as to Slagle
H. J. Morgan

Francis ^{his} Slagle Seal
J. O. Gibson. Seal

Mary Lockhart

Francis } Bond

Francis Slagle and

(46)

Jonesville, Va. 1894.

\$ 50.00
 .17
 8.50
50.00
58.50

Aug 15th 1891 to
June 18th 1894 — 3 yrs. 10 mo

250.00
 .148
 2000
 1000
 250
370.00

Jan. 1892 1st day
to June 18th 1894
2 yrs 5 mo 18 days

250
287
58.50
41.00

2nd note
1st note

224
 .12
 25
 003
 148

\$ 386.50

341.50

386.50
 05-

386.50
 18.73
\$ 405.23
 3.73

401.50

56

\$ 365.50

186.50

573.00

15.

18.73

41

59.73

41

15-

56

THE BIBLE
AND THE
FUTURE

John Stagle

153

C. E. Flannery

Adm.

1000

100

John Slagle

vs.

C & Flannery adm'tal

Peff

} In Chy.
Dift

The Peff says that the Lockhart Land was partitioned among his heirs law. remembered by the decree of his widow Theron, at the special instance of his said widow and this fact is shown by her letter dated March 6 1890. written to her two daughters Elizabeth and Jane Slagle the same is herewith filed as evidence in this cause marked A.B.,

The Peff admits the fact that Mary Lockhart, the widow, is entitled to security for the payment of Eight dollars per annum, during her natural life, from the plaintiff and his wife on account of her dower in the land allotted to Jane Slagle in said partition, and the plaintiff and his wife—Jane Slagle, being now non residents of the state of Va. they have procured Francis Slagle of James O. Gibson who are residents of Va. to execute to the said Mary Lockhart a bond of \$200.00 with condition to see that \$8.00 per year shall be paid her during her natural life. and this bond is herewith submitted marked (A.B.) and this bond is perfectly good.

The said Mary Lockhart has been paid her Eight Dollars for the year just passed, as is shown by her receipt herewith filed marked (A.D.)

John Slagle by his atty.

John Skaggs

vs. } Brief

C. E. Flannery, adm'r, &c.

Notice! Sale of Land.

John Slagle

Plff.

vs. } Sulby.

C. E. Flanary, Admr. et al. Defts.

Pursuant to the requirements of a decree entered in the above cause on the 13th day of March 1894, and another decree entered in the same cause on the 12th day of June 1894, I will proceed, on Monday, the 20th day of August 1894, at the front door of the Court House of Lee County, to sell the tract of land in the bill and proceedings mentioned to the highest and best bidder on a credit of 12 and 18 months, except a sum sufficient to pay the costs of suit and commissions of sale which will be required to be paid cash in hand. Purchaser will be required to execute bond with good personal security for the deferred payments.

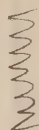
This is a valuable tract of land lying on Wallens Creek about 6 miles S.E. of Jonesville, and comprising lots No. 4 & 14 in the partition of the est. of Andrew Lockhart, decd. which together contain about 53-acres.

L. I. Hyatt, Clerk.

The tract required by decree of March 12th 1894 has been executed.

- Clerk.

John Slagle -

vs.  Notice of sale.

Chas. E. Flauary Adm'r &c.
et. al.

DUNCAN & HYATT,
ATTORNEYS AT LAW.

Jonesville, Va. January 26th 1894.

Mr. John Slagle,

Ravenwood, Nottoway County, Missouri.

Dear Sir:--

The depositions that we took in the case of yourself against Squire J. Lockhart were set aside and annulled because the Deputy Sheriff served the notice for taking the depositions on Sunday. So we will have to take the depositions over. I send you herewith the depositions of yourself taken before. You will please go before some Notary Public at Ravenwood, Nottoway County and make the same depositions you did before on a separate paper and return them to the Clerk of the Circuit Court, Jonesville, Lee County, Virginia. You must be certain to take the depositions on the 13th day of February as that is the day on which the notice says they will be taken. Return the papers I send you also.

Very truly yours &c.

L. P. Hyatt
for H. J. Morgau.

To Chas. E. Flanary Administrator of
D. H. Lockhart deceased, and Squire
J. Lockhart, and Mary Lockhart.

You will please take notice
that at the clerk's office of the
Circuit Court of Lee County on
Wednesday the 11th day of October
1893. I will proceed to take the dep-
osition of Putnam Lockhart, France
Slagle and others and at Raven-
wood in the County of Nottoway,
State of Missouri on Tuesday the
31st day of October 1893. I will
proceed to take the deposition of
John Slagle, Jane Slagle, William
Slagle & wife which when taken
are intended to be read as evidence
on my behalf in a certain Chan-
cery suit now pending in the Circuit
Court of Lee County in which I am
plaintiff and you are defendants.
And if from any cause the said
depositions are not completed on
the days above named the same
will be continued from time to time
and from place to place till com-
pleted.

John Slagle,

by counsel.

Sept 30th 1893.

John Slagle
vs { Notice

C. E. Flanary Admr. et al.

I accept legal service
of the within notice.

C. E. Flanary, S. L. C

Executed by delivering
copies of the within no-
tice to Squire J. Lock-
hart and Mary Lockhart.
on the 2 day of Oct. 1893.

H. P. Harrington Deputy for
C. E. Flanary

S. L. C

State of Missouri
County of todaway }

To the Constable of Jackson Township

You are hereby commanded to summon Wm Slagle to appear forthwith before me at my office in Ravenwood, todaway County Missouri to be examined and the facts told in a matter of controversy in a certain action pending in the Chancery Court of Lee County, Virginia wherein John Slagle is Plaintiff and L. E. Flanery Adms of D. W. Lockhart deceased. Squire J. Lockhart and Mary Lockhart are defendants

Given under my hand this 31st day of Oct 1893

William P Sims

Notary Public

Served the within Summons by
reading the within to Wm Slagle
on the 31st day September 1893

Conclables

Steel 25
Spilldage 30
55

Moses Spear Constable
of Jackson Township

To Charles E. Flanary, Administrator of D.W. Lockhart, deceased, Squire
J. Lockhart and Mary Lockhart:

You will please take notice that at the Clerk's Office of the Circuit Court of Lee County on Saturday the 3rd day of February 1894, I will proceed to take the depositions of Putnam Lockhart, France Slagle, and David Lockhart, which depositions when taken are to be read as evidence on my behalf in a certain chancery suit now pending in the Circuit Court of Lee County in which I am plaintiff and you are the defendants. And if from any cause the said depositions are not completed on the day above named, the same will be continued from time to time, @ from place to place till completed.

John Slagle,

By Counsel

January 27th 1894.

John Slagle,

vs. Notice.

Chas. E. Flannery et als.

I accept legal service of
the within notice this
29 day of Jan 1894.

C. E. Flannery S. L. C.

Executed by delivering
copies of the within
notice to Squire J.
Lockhart and Mary
Lockhart. This 1
day of February 1894.

H. P. Livingston Deputy
for C. E. Flannery
S. L. C.

To Chas. E. Flanary, Administrator of D. W. Lockhart, deceased, Squire Lockhart and Mary Lockhart:

You will please take notice that at the Clerk's office of the Circuit Court of Lee County on Wednesday the 20th day of January 1894, I will proceed to take the depositions of Putnam Lockhart, France Slagle, and others, and at Ravenwood in the County of Nottoway, State of Missouri on Tuesday the 13th day of February, 1894, I will proceed to take the deposition of John Slagle, Jane Slagle, William Slagle and wife which when taken are to be read as evidence on my behalf in a certain chancery suit now pending in the Circuit Court of Lee County in which I am plaintiff and you are the defendants. And if from any cause the said depositions are not completed on the days above named the same will be continued from time to time and from place to place till completed.

January 9th 1894.

John Slagle,

By Counsel.

John Slagle ,

vs. Notice.

C.E. Flanary, Admr. et als.

I accept legal service of the
within notice.

C. E. Flanary, - S. L. C.

Executed by delivering copies
of the within notice to Squire
J. Lockhart and Mary Lockhart,
on the 11 day of January 1894

H. R. Lockhart
for J. E. Flanary
S. L. C.

The Commonwealth of Virginia.

TO THE SHERIFF OF LEE COUNTY GREETING:

We Command You to Summon

W. G. Flannery, Adm'r

*J. D. W. Lockhart, Decd, Exr & J.
Lockhart and Mary Lockhart*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in
October next, being rule day to answer a bill in Chancery exhibited in our said Court against

Thoms by *John Sample*

And have then and there this writ Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse. This *26th*
day of *Sept* 18 *87*, in the 11th year of the Commonwealth.

A Copy Teste

J. A. G. Hyatt Clerk.

H. J. M.
John Slagle
3 Spa in
no 3 chert
S. T. Lockhart et al

Lo 1st Octo. Rules 1892

I accept legal
service of this Spa
Sept. 26th 1892.

H. J. M. S. L. C.
V. A. M. R. C.

Not executed
for the want
of time
J. J. Slagle
for C. S. H. M. R. C.
S. L. C.
S. L. C.

The Commonwealth of Virginia.

TO THE SHERIFF OF LEE COUNTY GREETING:

We Command You to, Summon

Chas. E. Llaner, Sheriff

of D. W. Lockett and Wm. S. Lockett

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the ^{first} Monday in *May* 1892, next, being rule day to answer a bill in Chancery exhibited in our said Court against

..... by *John S. Llaner*

And have then and there this writ Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse. This *5th* day of *May* 1892, in the 116 year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Tests

The Commonwaalth of Virginia.

TO THE SHERIFF OF LEE COUNTY GREETING:

We Command You to Summon

E. G. Flanagan
of *J. H. Lockhart* decd, Squire
J. Lockhart and *Mary*
Lockhart

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the ~~first~~ ^{third} Monday in
October 1892 next, being rule day to answer a bill in Chancery exhibited in our said Court against
..... by *John Eagle*
.....
.....

And have then and there this writ Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse. This... *6th*
day of *October* 18*92*, in the 11*7* year of the Commonwealth.

A Copy Teste

J. A. G. Hyatt Clerk.

St. J. M.

2000 2000

John Slagle

3 ~~Slagle~~

as 3 Sparrow

3 in Chen

S. J. Lockhart

20th Oct. 1892

Exhibited by Delver

in an office copy

to S. J. Lockhart

and S. J. Lockhart

then Oct. 7-1892

J. L. Glass Deputy

for S. J. Manning

S. J. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON

David Lockhart

to appear before the ^{Court}~~Judge~~ of our Circuit Court of Lee County, at the court-house thereof on the *13th*
day of *October* 189*3*, to testify and the truth to say in behalf of ~~the~~ *John*
Slagle

in a certain matter of controversy in our said Court,
before the said Judge depending and undetermined between *John Slagle*

Plaintiff

and

C. E. Flannery, Admr &c et als

Defendant :

And have then there this writ.

Witness *A. B. MUNSEY*, Clerk of our said Court, at the court-house,

the *11th* day of *October* 189*3*, and in the *11* *8* year of
the Commonwealth.

A B Munsey

Clerk.

John Slagle

vs

SUBPOENA
FOR
WITNESS.

C. E. Flanary ^{et al} admr

Circuit Court, the 13th day of

Oct 13th 1893.

I accept legal service of the within
sums

David H. Jeck
West

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

• WE COMMAND YOU TO SUMMON

David Lockhart

to appear before the ^{Cour} Judge of our Circuit Court of Lee County, at the court-house thereof on the 13th day of October 1893, to testify and the truth to say in behalf of the

John Slagle

in a certain matter of controversy in our said Court, before the said Judge depending and undetermined between

John Slagle

Plaintiff

and

C. C. Flanary Admr &c et al

Defendant :

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 11th day of October 1893, and in the 11^{8th} year of the Commonwealth.

A Copy Teste

A B Munsey

Clerk.

A B Munsey clerk

Circuit Court, the day of
..... 189 .

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON

Putnam Lockhart & David W. Lockhart

to appear before the ~~Judge~~ *Cour in ch* of our Circuit Court of Lee County, at the court-house thereof on the *3rd*
day of *February* 189*4*, to testify and the truth to say in behalf of ~~the~~ *John*

Slagle

in a certain matter of controversy in our said Court,
before the said Judge depending and undetermined between

John Slagle

Plaintiff

and

W. E. Flannery Admr et al

Defendant :

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,
the _____ day of _____ 189____, and in the 11 _____ year of
the Commonwealth.

Clerk.

John Slagle

VS

SUBPENA
FOR
WITNESS.

C. E. Flanary *Admiral*

Com in ch of the
A Circuit Court, the 3rd day of

February 1894.

Executed this
February 1st 1894
At P Arrington Deft
for C. E. Flanary
H. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU TO SUMMON *Putnam Lockhart*

to appear before the ^{*clerk of the*} ~~Judge~~ of our Circuit Court of Lee County, at the court-house thereof on the *11th*
day of *October* 189*3*, to testify and the truth to say in behalf of ~~the~~ *John*
Slagle & others

in a certain matter of controversy in our said Court,
before the said Judge depending and undetermined between

John Slagle & others Plaintiff
and *C. E. Flannery Admin & others* Defendant :

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,
the *7th* day of *October* 189*3*, and in the *11 8th* year of
the Commonwealth.

A. B. Munsey Clerk.

John Slagle et als

vs

SUBPENA
FOR
WITNESS.

C. E. Flanary Adm^{rs} et als

Clerks office
Circuit Court, the 7th day of

October 1893.

Executed Oct 11 the 1893
H. P. Arrington Deputy
for C. E. Flanary
S. L. L.

John Slagle
vs. ~~Wm~~ In Chy
C. E. Flanary Admr. et al

Plffs Costs

M C 8.70

H C 10.73

Atty 15.00

Wit 1.50

Stiff 2.00

\$37.93

Bal Due M. C. 1.42 Nov 28 1894

November Term Decree
final See Chcy Orders
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